

REMARKS

Applicants note the Examiner has made this a final Office Action (based on the Examiner's conclusion at page 18, paragraph 9, that Applicants' Amendment of claims necessitated the new ground of rejection. However, Applicants did not amend the claims. Rather, Applicants removed the previously-cited secondary reference of Weiner by submission of a Certified Translation of the Priority Document to claim benefit under 35 U.S.C. §119 and thus remove Weiner as a prior art reference. The Examiner has now cited a new reference Tomida in place of Weiner. This cannot trigger a final Office Action because there was no Amendment by Applicants which triggered the citation of the new reference Tomida. Applicants therefore respectfully request an opportunity to amend their claims and argue against Tomida cited for the first time, and that the Examiner withdraw the final Office Action and enter this Amendment, even though this Amendment contains claim amendments.

Claim 30 was rejected under 35 U.S.C. §112, second paragraph as indefinite. The Examiner indicated the phrase "setting parameter" was unclear. Claim 30 was amended to recite that the data object comprises a parameter of the printer or copier and a value of the data object specifies a value of the parameter of the printer or copier. The independent claim 23 from which claim 30 depends recites that the data object comprises a variable or a constant for control of the printer or copier. This is readily understandable in view of the specification which supports this claim language at page 5 of the Substitute Specification indicating at line 6 that the data objects are values of variables or values of constants necessary for control of the printer, and page 6 of the Substitute Specification at lines 1-4 states that the data

objects in particular concern parameters of the printer that cannot be displayed or adjusted on the control panel.

The Examiner rejected claims 23-36, 38, 42, 44 and 45 under 35 U.S.C. §103 as unpatentable over Barnard in view of Tomida. Claims 37, 39, and 41 were rejected under 35 U.S.C. §103 as unpatentable over Barnard in view of Tomida further in view of Nomura. Claim 40 was rejected under 35 U.S.C. §103 as unpatentable over Barnard in view of Tomida in view of Nomura further in view of Morisaki.

Claim 23 readily distinguishes for the following reasons. Claim 23 recites transferring data between at least one first control unit and a second control unit for the printer or copier, associating a first identifier with the first control unit, a second identifier with the second control unit, and storing at least one data object comprising a variable or a constant for control of the printer or copier in the second control unit, and associating the third identifier with the data object to enable simplified direct access to the data object via the data line by an external data processing unit, and wherein the third identifier differs from the second identifier. This feature is explained at Substitute Specification page 2, lines 1-3 indicating that for maintenance purposes it is in particular desirable to obtain a direct access to data objects of the printer or copier by an external data processing unit via an interface of the printer or copier. And at page 2, lines 20-22, it is stated that it is an object to enable an access to data objects of the printer in a simple manner.

For the above-identified claim language, the Examiner uses Barnard and analogizes the workstation processor 26 as the first control unit and the network management device 20 as the second control unit as shown in Fig. 1. This network management device 20 is shown in more detail in Fig. 2. For the first identifier for the

first control unit, the Examiner relies on column 6, lines 25-54 discussing network 10 supported by TCP/IP, in other words an IP address assigned to the computer processor 26. For the second identifier for the second control unit, the Examiner relies on the same portion of Barnard - namely the IP address for the network management device 20. However, for the data object stored in the network management device which is a variable or a constant for control of the printer or copier, and the third identifier associated with that data object, the Examiner states that Barnard does not have these features. Rather the Examiner cites the secondary reference Tomida at paragraphs 176-190 for a control variable which controls the printer, and paragraphs 161-171 for an identifier associated with that control variable to control the printer. However, Tomida only describes a print server controlling a printer and nowhere in paragraphs 161-171 can Applicants find a disclosure of any third identifier associated with a control variable. This portion of Tomida is simply describing how a print driver works, but this third identifier cannot be found. Even more significantly, claim 23 requires that the data object is in the second control unit, and that the third identifier for the data object is an identifier which is different than the second identifier where the second identifier is for the second control unit, and also recites that the third identifier simplifies direct access to the data object via the data line by an external data processing unit. Nothing like this feature is even remotely suggested in Tomida.

Dependent claims 24-42 distinguish at least for the reasons noted with respect to claim 23 and also by reciting additional features not suggested.

Device claim 44 is similar to claim 23 as allowable at least for the reasons noted with respect to claim 23.

Allowance of the application is respectfully requested.

The Commissioner is hereby authorized to charge any additional fees which may be required, or to credit any overpayment to account No. 501519.

Respectfully submitted,



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